

EXHIBIT 209

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

---oOo---

IN RE: JUUL LABS, INC., MARKETING, :
SALES PRACTICES, AND PRODUCTS : No.
LIABILITY LITIGATION : 19-MD-02913-WHO
_____ :

REMOTE VIDEO-RECORDED

DEPOSITION OF QUARRY PAK 30(b)(6)

Volume II

October 15, 2021

Job No. 200907

Stenographically reported by:
LAURA AXELSEN, CSR NO. 6173
RMR, CCRR, CRR, CRC

1 Juul products on the District separate and apart
2 from ENDS products?

3 A. We do not conduct surveys with social
4 workers.

5 Q. All right. The next topic is the impact of
6 ENDS products on your students compared to the
7 impact of tobacco products, alcohol, cannabis
8 products, and illegal drugs on your students and
9 your annual budget. Are you prepared to testify as
10 to that topic on behalf of the District today?

11 A. Yes.

12 Q. Ma'am, does the District currently have an
13 epidemic of ENDS use in its schools?

14 MR. DOUGLAS: Object to form.

15 THE WITNESS: I don't know the formal
16 definition of epidemic, but it is a large number of
17 schools that are handling vaping and nicotine,
18 uhm -- tobacco use currently right now on campus as
19 we are returning in person. That's why I was late
20 for this meeting because I was meeting with the
21 school to help address that.

22 MR. OSBORNE: Q. By the way, Ms. Diamond,
23 you can take the Exhibit down off the screen.

24 So, ma'am, you're aware that the District
25 referred to an epidemic in its complaint in this

1 case?

2 MR. DOUGLAS: Object to form.

3 THE WITNESS: Yes, because that is how the
4 use was identified by the public health officials
5 that we work with.

6 MR. OSBORNE: Q. Okay. So in -- answer
7 my last question. You said you didn't know the
8 formal definition of epidemic. Do you know what the
9 District meant by epidemic in its complaint?

10 A. Yes.

11 MR. DOUGLAS: Object to form. Object to
12 form.

13 THE WITNESS: Yes, there's a large number
14 and growing number.

15 MR. OSBORNE: Q. Okay.

16 A. That's spreading.

17 Q. Okay. So using that -- that definition,
18 does the District have an epidemic of ENDS use in
19 its schools currently?

20 A. I would say yes.

21 Q. And what's the basis of your answer that
22 there's currently an epidemic of ENDS use in
23 District schools?

24 A. In the course of my work, I speak with
25 school officials, students, teachers, and staff and

1 Q. And so your answer was in the context of
2 Juul and ENDS products. For any of the impacts that
3 you just stated, does the District have any records
4 demonstrating the impact of Juul on public health
5 compared with the impact of ENDS products in general
6 on public health?

7 A. We took -- we don't have data separate and
8 apart. We took information from our students and
9 families and our school staff and responded to
10 providing information. And specifically more -- the
11 most recent information was from the Stanford
12 Tobacco Toolkit. So we had addressed, you know,
13 that they were seeing more Juul, uhm, devices on
14 campus specifically, as well as other devices.

15 So whenever we address Juul, uhm, use, we
16 also included other -- other devices. But, uhm,
17 Juul was the main, uhm, most familiar product to our
18 students and our staff, uhm, for whatever reason.
19 Uhm, and so they wanted to know more information
20 about that. So the requests were coming in. So
21 that's why we developed the training in the Fall of
22 2018.

23 Q. Okay. And you mentioned the Stanford
24 Tobacco Toolkit. The Stanford Tobacco Toolkit
25 didn't specifically study District students, did it?

1 A. I do know -- we do know there was some
2 specific, uhm, materials. Again, we include Juul
3 within the vaping materials. Uhm, there was a
4 presentation called Juul School that included
5 information on Juuls, but all the other -- also
6 other vaping products just, uhm, because they didn't
7 know Juul was the most popular product in 2018. I
8 think that's why it was named that, uhm, so that we
9 could define for our teachers and our staff and
10 students this is actually what it is and what to
11 look for and how to -- how to intervene and support
12 and what the education piece is.

13 And so that's the only presentation, I
14 think, that perhaps called out Juul. But there's
15 lots of postcards and flyers and posters that
16 included Juul products, but as a part of the other
17 electronic nicotine delivery systems. And also our
18 tobacco education efforts included cigarettes.

19 Q. So my question and -- I appreciate that --
20 my question is just a little more narrow. Has the
21 District created educational materials that address
22 Juul by itself without reference to any other ENDS
23 products?

24 A. I would have to refer to our educational
25 materials, but I do believe we have some materials

1 from other ENDS products or combustible cigarettes?

2 A. Preventative or educational measures?

3 Q. Yes, that are Juul specific.

4 A. I would just repeat what I said earlier,
5 that, uhm, any materials or resources addressed
6 tobacco and ENDS together. Uhm, there were possibly
7 a few presentations that addressed Juul specifically
8 because of -- that was the most popular product at
9 the time and in Fall of 2018 around. So, uhm, it
10 would be included either, uhm, as the sole focus or
11 the main focus of what it is and how to address it
12 and how -- what it looks like and what -- how to
13 educate students on that topic. But, again, we
14 don't have any information on separate and apart
15 from any other nicotine delivery system, electronic
16 or traditional.

17 Q. The next topic is all preventative or
18 educational measures you have taken to date
19 regarding ENDS products, including the money
20 allocated to such preventative or educational
21 measures.

22 Have there been any preventative or
23 educational measures regarding ENDS products that
24 you haven't already testified about in any response
25 to the previous two or three questions about ENDS

1 diverted a lot of resources away from grant writing
2 or other program planning. We had to do program
3 planning for day-to-day operations and COVID
4 education and testing and et cetera. Starting, uhm,
5 from March 20 -- March 2020 when we closed schools
6 to -- through today, we're still doing COVID
7 surveillance and we have staffing shortages.

8 MR. OSBORNE: Q. Is the District still of
9 the opinion that there's an epidemic of youth vapor
10 use in the District?

11 MR. DOUGLAS: Object to form.

12 THE WITNESS: Yes, I believe that's the
13 same belief that we have. Uhm, we don't have enough
14 information to know how serious it is or how
15 widespread because we just returned in-person in
16 August. So we're just beginning to get the reports,
17 the referrals in, and the qualitative statements in
18 from schools and students.

19 MR. OSBORNE: Q. Was the District of the
20 opinion that there was epidemic of youth vapor use
21 in 2020?

22 MR. DOUGLAS: Object to form.

23 THE WITNESS: Our schools were closed for
24 distance learning, uhm, from March through December
25 2020 through -- most of our schools were closed for